

**LAHIVE
&
COCKFIELD**

L L P

COUNSELLORS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109-1784
TELEPHONE (617) 227-7400
FAX (617) 742-4214
lc@ahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)
THOMAS V. SMURZYNSKI
RALPH A. LOREN
GIULIO A. DeCONTI, JR.
ANN LAMPART HAMMITTE
ELIZABETH A. HANLEY
AMY BAKER MANDRAGOURAS
ANTHONY A. LAURENTANO
KEVIN J. CANNING
JANE E. REMILLARD
DeANN FORAN SMITH
JEANNE M. DIGIORGIO
DEBRA J. MILASINCIC, Ph.D.
NICHOLAS P. TRIANO, III
CHI SUK KIM
DAVID J. RIKKERS
DAVID R. BURNS

JC1 Rec'd PCT/PTO 19 MAR 2001

TECHNICAL SPECIALISTS
MARIA LACOTRIPE ZACHARAKIS, Ph.D.
CYNTHIA M. SOROS
PETER W. DINI, Ph.D.
EUIHOON LEE
LISA M. DIROCCO
JENNIFER K. ROSENFIELD
JUDITH STONE-HULSLANDER, Ph.D.
ALLAN TAMESHTIT, Ph.D.
CATHERINE E. MCPHERSON
ERIC F. WAGNER, Ph.D.
SHAHID HASAN, Ph.D.
ASHITA DOSHI, Ph.D.
JACOB G. WEINTRAUB

#4
* Admitted in NY only
** Passed the Patent Bar Examination

March 19, 2001

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Re: U.S. Patent Application Serial Number 09/674,235
Title: HUMAN PROTEINS HAVING TRANSMEMBRANE DOMAINS AND DNAs
ENCODING THESE PROTEINS
Inventors: Kato, Seishi et al.
I.A. Filing Date: April 27, 1999
Attorney Docket No.:GIN-6715CPUS

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905);
2. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (in duplicate);
3. Executed Declaration, Petition and Power of Attorney for Patent Application;
4. Request For One-Month Extension of Time (in duplicate);
5. Check No. 042066 for \$110.00 (extension fee) and Check No. 042064 for \$130.00 (surcharge); and
6. A prepaid Acknowledgment Postcard.

Please charge any necessary fees or credit any overpayments to our Deposit Account No. 12-0080.
For this purpose, a duplicate of this sheet is enclosed.

"Express Mail" mailing label number EL683634813US

Date of Deposit March 19, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box PCT, Washington, DC 20231.

Signature

Edilio Cardoso

Please Print Name of Person Signing

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Chi Suk Kim
Reg. No. 42,728
Attorney for Applicants

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Seishi Kato et al.

Serial No.: 09/674,235

I.A. Filing Date: April 27, 1999

For: HUMAN PROTEINS HAVING
TRANSMEMBRANE DOMAINS AND DNAs
ENCODING THESE PROTEINS

Attorney Docket No.: GIN-6715CPUS

Group Art Unit:

Examiner:

Commissioner for Patents
Box PCT
Washington, D.C. 20231RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Dear Sir:

Responsive to the *Notification of Missing Requirements Under 35 U.S.C. 371*, dated January 19, 2001, Applicants' attorney submits herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$130.00 (Check No. 042064), based on large entity status, is enclosed to cover the surcharge under 37 C.F.R. §1.492(e). A copy of Form PCT/DO/EO/905 is also enclosed. A separate petition for an appropriate extension of time is also submitted concurrently herewith. Therefore, a check in the amount of \$110.00 (Check No. 042066), based on large entity status, is enclosed to cover the extension of time.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. *For this purpose, a duplicate of this letter is enclosed.*

"Express Mail" mailing label number EL683634813USDate of Deposit March 19, 2001

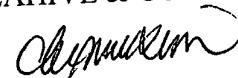
I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Box PCT, Washington, DC 20231.


Signature Ildio Cardoso
Please Print Name of Person Signing

Date: March 19, 2001

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



Chi Suk Kim, Esq.
Reg. No. 42,728
28 State Street
Boston, MA 02109
(617) 227-7400

DOCKETED
FEB. 19, 2001 - MISSING REQUIREMENTS AND
JULY 19, 2001 - E.S.P. W/5 MOX.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/674235	KATO	S GIN-6715CPUS
INTERNATIONAL APPLICATION NO.		PCT/JP99/02226
I.A. FILING DATE		PRIORITY DATE
27 APR 99		28 APR 98
DATE MAILED:		19 JAN 2001

AMY E MANDRAGOURAS
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- a Designated Office (37 CFR 1.494),
- an Elected Office (37 CFR 1.495):
- U.S. Basic National Fee.
- Copy of the international application in:
 - a non-English language.
 - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed _____ and _____
- Information Disclosure Statement(s) filed _____ and _____
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed _____.
- Verified Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report and copies of the references cited therein.
- Other: PCT/IB/301, 304 & 308

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. SurchARGE for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

PCT/DO/EO/917

PTO-875

FORM PCT/DO/EO/905 (December 1997)

Notice of Defective Translation

Barbara A. Campbell

Telephone: 703-305-3631

